

Message Text

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ACTION DLOS-04

INFO OCT-01 IO-11 ISO-00 ACDA-10 AGR-10 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-02 COME-00 DODE-00 DOTE-00

EB-07 EPA-04 ERDA-07 FMC-02 TRSE-00 H-02 INR-07

INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-02 OES-06

OMB-01 PA-02 PM-04 PRS-01 SP-02 SS-15 USIA-15 SAL-01

AF-06 ARA-10 EA-09 EUR-12 NEA-10 FEA-01 /184 W

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R 061942Z APR 76

FM USMISSION USUN NY

TO SECSTATE WASHDC 6710

UNCLAS SECTION 1 OF 2 USUN 1412

FROM: LOSDEL

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: MARINE SCIENTIFIC RESEARCH, THRID

COMMITTEE WORKING GROUP -- 1 APRIL

1. WORKING GROUP ON MARINE SCIENTIFIC RESEARCH OPENED DISCUSSIONS ON 1 APRIL BY RESUMING CONSIDERATION OF ARTICLES 25 AND 26. AFTER SEVERAL INTERVENTIONS, THE CHAIRMAN REPEATED HIS STATEMENT OF 30 MARCH THAT ARTICLES 25 AND 26 WOULD NOT BE FINALIZED UNTIL THE PERTINENT DECISIONS ARE MADE IN COMMITTEES I AND II. HOWEVER, THESE TWO ARTICLES WOULD NOT BE LEFT BLANK, AND THEREFORE IN THE REVISED SNT THEY WOULD CARRY A FOOTNOTE STATING THAT THEY SHOULD BE RECONSIDERED IN THE LIGHT OF DEVELOPMENTS IN THE OTHER COMMITTEES. THE U.S. REQUESTED THE CHAIRMAN TO CONVEY TO AMBASSADOR YANKOV (CHAIRMAN OF COMMITTEE III) THE SUGGESTION THAT HE CONSULT WITH THE CHAIRMEN OF COMMITTEES I AND II WHEN REDRAFTING ARTICLES 25 AND 26 FOR THE REVISED SNT.

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2. INDIA THEN REQUESTED AND RECEIVED PERMISSION TO DISCUSS A REVISED BLUE PAPER CONTAINING AMENDMENTS TO ARTICLES 13 THROUGH 17 JOINTLY SUBMITTED BY BRAZIL, INDIA, THE LIBYAN ARAB REPUBLIC, PAKISTAN AND YUGOSLAVIA. THEIR AMENDED ARTICLE 13 READS QUOTE COASTAL STATES HAVE THE EXCLUSIVE RIGHT TO CONDUCT AND REGULATE SCIENTIFIC RESEARCH IN THEIR TERRITORIAL SEA, EXCLUSIVE ECONOMIC ZONE AND CONTINENTAL SHELF. SCIENTIFIC RESEARCH ACTIVITIES IN THESE AREAS SHALL BE CONDUCTED ONLY WITH THE EXPRESS CONSENT OF, AND UNDER THE CONDITIONS SET FORTH BY, THE COASTAL STATE UNQUOTE. THEY WOULD DELETE ARTICLE 14. THEIR ARTICLE 15 CONTAINS FOR ALL MARINE RESEARCH BASICALLY THE SAME NOTIFICATION REQUIREMENTS OF SNT ARTICLE 15 BUT IN A MORE STRINGENT FORM. IN ADDITION THEIR ARTICLE 15 WOULD REQUIRE QUOTE ANY ADDITIONAL INFORMATION THAT MIGHT BE REQUIRED BY THE LAWS AND REGULATIONS OF THE COASTAL STATE UNQUOTE. THEIR ARTICLE 16 IS FOR ALL MARINE RESEARCH A MORE STRINGENT FORM OF SNT ARTICLE 16, AND WOULD IN ADDITION REQUIRE THE EXPRESS CONSENT OF THE COASTAL STATE FOR PUBLICATION, REQUIRE THAT THE RESEARCHING STATE NOT ALLOW ANY THIRD PARTY PARTICIPATION WITHOUT THE CONSENT OF THE COASTAL STATE, AND REQUIRE COMPLIANCE WITH ALL RELEVANT LAWS AND REGULATIONS OF THE COASTAL STATE. THEIR ARTICLE 17 REQUIRES THAT ANY REQUEST FOR RESEARCH UNDER THEIR ARTICLE 13 BE MADE THROUGH THE OFFICIAL DESIGNATED CHANNELS OF THE COASTAL STATE. SEVERAL GROUP OF 77 STATES SPOKE IN SUPPORT OF THE AMENDED FORMULATION CONTAINED IN THE REVISED BLUE PAPER. THE U.S. CLARIFIED AND HAD CONFIRMED BY THE CHAIRMAN THAT ALL COMMENTS, ORAL AND WRITTEN, BEFORE THE WORKING GROUP WERE BEING NOTED AND WOULD BE TAKEN INTO ACCOUNT FOR THE REVISED SNT.

3. MOVING ON TO ARTICLE 27, MEXICO EXPRESSED CONCERN THAT THE QUALIFICATION QUOTE IN THE MARINE ENVIRONMENT UNQUOTE MIGHT BE INTERPRETTED TO EXCLUDE FROM THE CONVENTION REMOTE SENSING FROM AIRCRAFT AND SATELLITES. WITHOUT NAMING NAMES, MEXICO STATED IT HAD LEARNED THAT ONE OF THE MOST DEVELOPED STATES WOULD DEPLOY WITHIN A COUPLE OF YEARS A SATELLITE DEVOTED EXCLUSIVELY TO MARINE REMOTE SENSING. (COMMENT: PRESUMABLY, MEXICO WAS REFERRING TO UNCLASSIFIED

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SEASAT.) MEXICO CONSIDERED SUCH REMOTE SENSING TO BE A THREAT TO ITS QUOTE ECONOMIC SECURITY UNQUOTE. BRAZIL AND COLOMBIA SHARED MEXICO'S CONCERN. FRANCE, INDIA, JAPAN, THE U.S. AND THE USSR NOTED THAT THE PROBLEM OF REMOTE SENSING FROM OUTER SPACE WAS BEING MORE APPROPRIATELY DEALT WITH IN ANOTHER FORUM OF THE UN. MEXICO OFFERED AMENDED LANGUAGE FOR ARTICLE 27 TO DEAL WITH THE REMOTE SENSING PROBLEM, BUT THEN WITHDREW ITS AMENDMENT IN FAVOR

OF THE FOLLOWING BRAZILIAN AMENDMENT: QUOTE THE DEPLOY-
MENT AND USE OF ANY TYPE OF INSTALLATION, EQUIPMENT OR
CRAFT FOR MARINE SCIENTIFIC RESEARCH OR AIMED AT MARINE
SCIENTIFIC RESEARCH SHALL BE SUBJECT TO THE SAME CONDITIONS
AS THOSE FOR THE UNDERTAKING OF MARINE SCIENTIFIC RESEARCH
AS PROVIDED FOR IN THIS CONVENTION UNQUOTE.

4. REGARDING ARTICLE 28, SEVERAL GROUP OF 77 STATES AND
AUSTRALIA OFFERED AMENDMENTS MAKING THE RIGHT TO OPERATE
AND MANAGE SUBORDINATE TO THE RIGHTS OF THE COASTAL STATE.
FRANCE SPOKE IN FAVOR OF THE RETENTION OF ARTICLE 28 IN
ORDER TO GIVE GUIDANCE TO OTHER FORA IN UNESCO AND IMCO
DEALING WITH MARINE SCIENTIFIC EQUIPMENT PROBLEMS, SUCH AS
ODAS. THE U.K. AND THE U.S. FAVORED DELETION OF ARTICLE
28.

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TO SECSTATE WASHDC 6711

UNCLAS SECTION 2 OF 2 USUN 1412

FROM LOSDEL

5. REGARDING ARTICLE 29, SEVERAL GROUP OF 77 STATES, LED
BY TRINIDAD AND TOBAGO, EXPRESSED CONCERN OVER THE USE OF
SCIENTIFIC INSTALLATIONS AND EQUIPMENT FOR PURPOSES OTHER

THAN MARINE SCIENCE. THEY OFFERED A VARIETY OF AMENDMENTS MAKING ARTICLE 29 EVEN MORE STRINGENT. THE USSR, SECONDED BY IRELAND, STATED THAT THE MANDATE OF THE WORKING GROUP INCLUDED ONLY MARINE SCIENCE, AND THEREFORE THE ISSUE OF OTHER USES OF INSTALLATIONS AND EQUIPMENT BELONGED MORE APPROPRIATELY IN COMMITTEE II. BOTH THE U.K. AND THE U.S. SPOKE IN FAVOR OF DELETION OF ARTICLE 29, ALTHOUGH THE U.K. COULD ACCEPT RETENTION IF THE FIRST THREE WORDS OF THE ARTICLE WERE REPLACED WITH QUOTE WHEN UNQUOTE. AUSTRALIA SUGGESTED THAT ARTICLES 27, 28 AND 29 NOT BE LOOKED AT INDIVIDUALLY BUT INSTEAD BE AMALGAMATED AND SIMPLIFIED. SEVERAL GROUP OF 77 STATES, LED BY INDIA AND PAKISTAN, STATED AMALGAMATION WAS NOT DESIRABLE BECAUSE EACH OF THE ARTICLES STATED AN IMPORTANT PRINCIPLE.

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6. ARTICLE 30 RECEIVED ONLY 5 INTERVENTIONS. INDIA, PERU AND THE U.S. FAVORED DELETION, NOTING THAT THIS ISSUE WAS COVERED BY PART II OF THE SNT. CHAD PREFERRED RETENTION. KENYA SUGGESTED MINOR DRAFTING CHANGE.

7. ARTICLE 31 RECEIVED 7 INTERVENTIONS, WITH INDIA, PAKISTAN, PERU, THE U.K. AND THE U.S. FAVORING DELETION AND ECUADOR AND FRANCE HAVING NO OBJECTION TO DELETION.

8. REGARDING ARTICLE 32, PERU, SUPPORTED BY AUSTRALIA, COLOMBIA, ECUADOR AND INDIA, VOICED CONCERN THAT THE ARTICLE WAS INCOMPLETE IN THE SENSE THAT IT CONTAINED NO PROVISION FOR THE REMOVAL OF INSTALLATIONS AND EQUIPMENT ONCE THE PROJECT IN WHICH THEY WERE USED WAS FINISHED. THE U.S. FAVORED DELETION OF ARTICLE 32, BUT SUGGESTED THE FOLLOWING WORDING IF THE ARTICLE WERE RETAINED: QUOTE THE DEPLOYMENT AND USE OF ANY TYPE OF SCIENTIFIC RESEARCH INSTALLATIONS OR EQUIPMENT MAY NOT BE DEPLOYED IN THE ECONOMIC ZONE WHERE THEY WILL CAUSE INTERFERENCE WITH INTERNATIONAL NAVIGATION UNQUOTE. REGARDING THE ABOVE CONCERN VOICED BY SEVERAL STATES, THE U.S. AND FRANCE NOTED THAT ANY REQUIREMENT FOR REMOVAL MAY HAVE TO BE QUALIFIED BECAUSE OF THE IMPRACTICALITY OF REMOVING SMALL, WIDELY DISPERSED GEAR THAT IS BENIGN TO THE MARINE ENVIRONMENT. THIS LED TO DISCUSSION BY SEVERAL GROUP OF 77 STATES THAT REVEALED CONSIDERABLE LACK OF KNOWLEDGE OF MARINE RESEARCH METHODS. THE FEAR WAS EXPRESSED THAT SCIENTISTS MAY CLUTTER THE OCEANS WITH THEIR EXPERIMENTAL QUOTE GARBAGE UNQUOTE. THE DISCUSSION ENDED WITH BRAZIL DEMANDING THAT QUOTE EQUIPMENT NO LONGER EXIST UNQUOTE WHEN THE RESEARCH PROJECT IS FINISHED.

9. NEXT MEETING OF MARINE SCIENTIFIC RESEARCH WORKING

GROUP ON 5 APRIL.
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